

BARBARA JEANNE ALTEMEIER  
13861 YOCKEY STREET  
GARDEN GROVE, CA 92844-2663  
TELEPHONE: (714) 379-9557

BARBARA JEANNE ALTEMEIER, Pro se

2010 NOV -4 PM12:17  
CLERK U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
SANTA ANA

**FILED**

IN THE UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA

BARBARA JEANNE ALTEMEIER,

PLAINTIFF,

V.

DALLAS COUNTY, TEXAS (1);  
CITY OF DALLAS, TEXAS (2);  
MUSKEGON COUNTY, MICHIGAN (3);  
FRUITPORT TOWNSHIP, MICHIGAN  
(4);

JAMES SCHULTZ (5);  
TONY TAGUE (6);  
DALE J. HILSON (7);  
LOUIS CANALES (8);  
RONALD M. HUBNER (9);  
DANIEL DOWNS (10);  
RONALD ANDERSON (11);  
LUPE VALDEZ (12);  
PARKLAND HEALTH & HOSPITAL  
SYSTEM AUXILIARY/AKA  
PARKLAND MEMORIAL  
HOSPITAL (13); and  
John or Jane Does (14-23),  
DEFENDANTS.

Case  
No.

Case No. SACVID-1692 JVS(AGR)

COMPLAINT

Title 42 U.S.C. §§ 1983,  
1985 (3); Tort Action;  
RICO Violation; Title 28  
U.S.C. §§ 1331, 1332,  
1343, 1367

1 NOW COMES Barbara Jeanne Altemeier, Plaintiff, to file this  
2 Complaint and would show the Court the following to wit:

3 **I. JURISDICTION**

4 1.) This action is brought pursuant to Title 42 U.S.C. §§  
5 1983, 1985 (3), Title 28 U.S.C. §§ 1331 and 1332; Title 28  
6 U.S.C. § 1343, State Law Claims under Title 28 U.S.C. § 1367  
7 and First, Fourth, Fifth, Eighth and Fourteenth Amendments to  
8 the U.S. Constitution.

9 **II. PARTIES**

10 2.) The plaintiff in this case is Barbara Jeanne Altemeier,  
11 who is a resident of Orange County, Garden Grove, California  
12 whose mailing address is 13861 Yockey Street; Garden Grove,  
13 California 92844.

14 3.) Dallas County, Texas (1) is a Defendant domiciled in  
15 Dallas County, Texas, whose agent may be served to Judge James  
16 Foster, 411 Elm Street, Suite 210, Dallas, Texas 75202.

17 4.) City of Dallas, Texas (2) is a Defendant domiciled in  
18 Dallas County, Texas, whose agent, Thomas Perkins, City  
19 Attorney, City of Dallas, may be served to at City Hall, 1500  
20 Marilla Street, 7D North, Dallas, Texas 75201-6390.

21 5.) Muskegon County, Michigan (3) is a Defendant domiciled  
22 in Muskegon County, Michigan, whose agent, Theodore Williams,  
23 County Attorney, may be served at 120 West Apple, POB 599,  
24 Muskegon, Michigan 49443.

25 6.) Fruitport Township, Michigan (4) is a Defendant

1 domiciled in Muskegon County, Michigan whose agent may be  
2 served to Ronald Bultje, City Attorney, 101 N. 3<sup>rd</sup> Street,  
3 Grand Haven, Michigan 49417-1209.

4 7.) Defendant James Schultz (5) is a resident of Muskegon  
5 County, whose employment address is 5825 Airline Road,  
6 Fruitport, Michigan 49415-9708.

7 8.) Defendant Tony Tague (6) is a resident of Muskegon  
8 County, whose employment address is 990 Terrace Street, 5<sup>th</sup>  
9 Floor, Muskegon, Michigan 49442-3497.

10 9.) Defendant Dale J. Hilson (7) is a resident of Muskegon  
11 County, whose employment address is 990 Terrace Street, 5<sup>th</sup>  
12 Floor, Muskegon, Michigan 49442-3497.

13 10.) Defendant Louis Canales (8) is a resident of Dallas  
14 County, whose employment address is 9915 E. NW Highway,  
15 Dallas, Texas 75238.

16 11.) Defendant Ronald M. Hubner (9) is a resident of Dallas  
17 County, whose employment address is 9915 E. NW Highway,  
18 Dallas, Texas 75238.

19 12.) Defendant Daniel Downs (10) is a resident of Dallas  
20 County, whose last known employment address is 111 West  
21 Commerce Street, Dallas, Texas 75208.

22 13.) Defendant Ronald Anderson (11) is a resident of Dallas  
23 County, whose employment address is 5201 Harry Hines Blvd.,  
24 Dallas, Texas 75235.

25 14.) Defendant Lupe Valdez (12) is a resident of Dallas

1 County, whose employment address is 111 West Commerce Street,  
2 Dallas, Texas 75208.

3 15.) Defendant Parkland Health & Hospital System Auxiliary  
4 (13) is a Defendant, whose agent, Michael Silhol c/o Legal  
5 Affairs, may be served at 5201 Harry Hines Blvd., Dallas,  
6 Texas 75235.

7  
8 **III. STATEMENT OF THE CASE**

9 **Preamble**

10 16.) The purpose of this Statement of the Case is to inform  
11 the Court of a number of serious crimes that have been  
12 committed against Plaintiff by certain individuals within the  
13 following organizational units: the Fruitport Township Police  
14 Department, Fruitport, Michigan; Muskegon County Prosecutor's  
15 Office, Muskegon, Michigan; the Dallas County Police  
16 Department, Dallas, Texas; the staff of the Dallas County  
17 Jail, Dallas Texas; Parkland Health & Hospital System  
18 Auxiliary, Dallas, Texas; and other named Defendants.

19 17.) Plaintiff has had medical problems since her birth in  
20 1951. Plaintiff has been diagnosed with an autonomic nervous  
21 system dysfunction and sensitivities to various  
22 petrochemicals. Plaintiff's doctors orders require her to  
23 drink prescription bottled water and eat prescription organic  
24 food. Many doctors who specialize in Plaintiff's condition  
25 know her case around the world.

18.) The facts are as follows:

1. On October 17, 2006, Plaintiff was arrested in Dallas, Texas without a warrant. The incarceration lasted until January 2, 2007 - a total of 78 days.
2. Defendant Officer Schultz, is a detective of the Fruitport Township Police Department, Fruitport, Michigan, who falsely made up the felony complaint.
3. There was no warrant at the time of the arrest. Only after Plaintiff was arrested in Dallas, Texas, did Officer James Schultz and the Muskegon County Prosecutor request a felony warrant from the 60<sup>th</sup> District Court, Muskegon, Michigan. As a result, a felony warrant, count 1: EMBEZZLEMENT--FROM A VULNERABLE ADULT--\$20,000 OR MORE was issued.
4. However, there was never any crime of theft committed against the alleged victim by the Plaintiff.
5. After a two (2) year ordeal that almost cost Plaintiff her life and by which Plaintiff incurred substantial legal expenses, Plaintiff was cleared of all charges with the kind assistance of the alleged victim. Motion for nolle prosequi was granted, and the case was dismissed without prejudice, on November 10, 2008.
6. The Defendant arresting officers in the City of Dallas, Texas, Officer Louis Canales and Officer

1 Ronald M. Hubner, arrested Plaintiff on a warrantless  
2 arrest.

3 7. On the day of the arrest, the outside temperature was  
4 over 85 degrees Fahrenheit. Without prescription  
5 bottled water, the Plaintiff rapidly dehydrated.  
6 Subsequently, the arresting officers adamantly  
7 refused to allow Plaintiff's prescription organic  
8 food or prescription bottled water to accompany her  
9 when she was transported to the Dallas County Jail.

10 8. When Plaintiff first arrived at the jail, a woman of  
11 apparent authority was walking around spraying a can  
12 containing a noxious substance. While spraying all  
13 around the room, the woman sprayed some of the  
14 substance directly in Plaintiff's face from a  
15 distance of approximately 6 inches. This caused  
16 Plaintiff to have an immediate, serious reaction;  
17 Plaintiff fell to the floor and never regained the  
18 use of her legs for the entire time she was in the  
19 jail.

20 9. Plaintiff was placed in a wheelchair every time she  
21 was moved from place to place. Then the wheelchair  
22 was removed from the cell each time, leaving the  
23 plaintiff immobile. It took weeks of repeatedly  
24 requesting the wheelchair be left in the cell to have  
25 this request granted.

1           10. At the beginning of Plaintiff's incarceration, she  
2           informed the jail staff of her medical  
3           condition/handicapped status. She also informed the  
4           jail staff that she required prescription organic  
5           food and prescription bottled water. During the  
6           booking process, both of these were not noted/written  
7           down. When Plaintiff attempted to write on the  
8           sheet, the sheet was taken away. Plaintiff was  
9           ignored, and some personnel even laughed at  
10          Plaintiff's request. Plaintiff had no way of getting  
11          the prescription organic food or the prescription  
12          bottled water her well established medical needs  
13          required.

14          11. Plaintiff was taken via wheelchair to an area called  
15          "the infirmary." On the way to the nurses' station,  
16          within the confines of the infirmary, Plaintiff was  
17          wheeled past buckets containing chemicals used for  
18          cleaning, which resulted in Plaintiff passing out  
19          upon arrival at the nurses' station. On October 19<sup>th</sup>,  
20          2006, Plaintiff regained consciousness while still in  
21          the jail and was transported to Parkland Health &  
22          Hospital System Auxiliary. Plaintiff informed the  
23          doctor that she had not received any prescription  
24          organic food or any prescription bottled water, which  
25          her medical condition required. The doctor then

1           allowed Plaintiff's sister, Joan Magnuson, to bring  
2           to the Plaintiff the prescription bottled water. The  
3           doctor asked Joan Magnuson to also bring in the  
4           prescription food, but Joan Magnuson did not have any  
5           prescription food available at the time, so he told  
6           her to go out and get it and bring it back to the  
7           hospital.     Upon Joan Magnuson's return to the  
8           hospital, she discovered there was a shift change and  
9           the doctor who sent her for the prescription organic  
10          food was now gone. The new doctor, Dr. Charles Todd,  
11          flatly refused to allow Joan Magnuson to give the  
12          Plaintiff her prescription organic food. As a  
13          result, Joan Magnuson showed Dr. Todd a letter from  
14          Dr. Alfred Johnson, who had been Plaintiff's primary  
15          physician for over 15 years, outlining Plaintiff's  
16          medical requirements, including Plaintiff's  
17          prescription for organic food and prescription  
18          bottled water. Dr. Charles Todd chose to ignore Dr.  
19          Alfred Johnson's instructions and even refused to  
20          allow Joan Magnuson to give the food to a third party  
21          that could then in turn give the Plaintiff her  
22          prescription organic food. From that point forward,  
23          all doctors involved with the Plaintiff in the  
24          emergency room, allowed her to keep the prescription  
25          bottled water, but did not give Plaintiff any food.



1           When Plaintiff returned to the jail, she was wheeled  
2           past the same type buckets containing chemicals used  
3           for cleaning, causing the Plaintiff to black out  
4           again, as she arrived at the same nurses' station.  
5           This time, the staff shoved smelling salts into  
6           Plaintiff's nose with great force, because  
7           Plaintiffs' nostrils were full of blood when  
8           Plaintiff regained consciousness. Then, on October  
9           20<sup>th</sup>, 2006, Plaintiff was transported via ambulance,  
10          back to Parkland Health & Hospital System Auxiliary,  
11          where Plaintiff was treated against her will and  
12          against her doctor's (Dr. Alfred Johnson) written  
13          orders, which the emergency room doctors had in their  
14          possession.

15          12. Later on October 20<sup>th</sup>, 2006, Plaintiff was sent back  
16          to jail. This time Plaintiff was placed in solitary  
17          confinement on an approximately three (3) foot high  
18          concrete slab. The wheel chair was removed from the  
19          room.

20          13. Note: Jails accommodate other dietary needs, such as  
21          diabetic, vegetarian, Muslim, Jewish, etc. Plaintiff  
22          was allowed to have her prescription bottled water  
23          after the hospital incident. The prescription  
24          bottled water had to be supplied by the Plaintiff's  
25          sister, Joan Magnuson, who flew in from California.

1           However, Plaintiff's prescription dietary needs were  
2           not addressed. For more than a week, before the  
3           hospital, during the hospital stay, and after  
4           returning to jail, Plaintiff was only offered jail  
5           food twice in the Dallas County Jail. Other than  
6           that, Plaintiff was not offered any food, nor were  
7           her dietary needs met. At meal times, a guard  
8           pushing the food cart, would park it in front of the  
9           door, in plain view of the Plaintiff. Various  
10          inmates would place a food tray through each door.  
11          Then, an inmate would ask the guard why the opening  
12          to the Plaintiff's cell door was closed. A guard  
13          would respond, pointing, laughing, and saying  
14          something like, "That's Miss Organic. She doesn't  
15          eat our food." Then they would finally move the  
16          cart. Plaintiff considers this to be physical and  
17          psychological abuse, as well as torture.

18          14. A hearing was held on October 25, 2006. The world  
19          famous doctor and author Dr. Doris Rapp flew in from  
20          Arizona for this hearing. The judge allowed Dr. Rapp  
21          to examine Plaintiff. Dr. Rapp confirmed that, in  
22          fact, Plaintiff was unable to stand up and walk.

23          15. Plaintiff could still not walk, and without a wheel  
24          chair, could not even get to the toilet. Plaintiff  
25          did have a throw-up pail from the hospital, so she

1           succumbed to using it as a toilet. When the pail  
2           became full, Plaintiff cried out for help and was  
3           ignored. Plaintiff finally had no choice but to toss  
4           the contents toward the toilet. Some of the waste  
5           reached the toilet; the rest splashed onto the  
6           toilet, floor, and walls. Eventually an inmate came  
7           to clean the toilet and floors, but the walls were  
8           never cleaned, and the stench got so intense that  
9           people would hold their noses whenever they came into  
10          the cell. For several weeks, Plaintiff had no access  
11          to shower facilities. There were never any grab bars  
12          for shower or toilet.

13          16. During the first day in solitary confinement,  
14          Plaintiff noticed that she was being ignored.

15          17. Jail staff did not respond to calls for help, perhaps  
16          because they were busy playing card games and slot  
17          machines on the jail's computers. When playing the  
18          slot machines, a bell would ring and the girl sitting  
19          at the computer would say, "I won, I won," or "You  
20          won." A guard/staff would play for another  
21          guard/staff if that guard was too busy to play for  
22          herself. Plaintiff knows this to be true because  
23          Plaintiff would witness it during the various times  
24          she was wheeled past those computers on the way to  
25          the nurses' station. Plaintiff wonders if they were

1 gambling illegally.

2 18. Only after several days following Plaintiff's return  
3 to the Dallas County Jail from the second hospital  
4 visit was Plaintiff's prescription dietary food  
5 eventually allowed into the jail. However, Plaintiff  
6 was discriminated against from the first meal because  
7 she was only allowed 20 minutes to eat and she was  
8 never allowed to take food back to the cell. All  
9 Plaintiff's prescription food and prescription  
10 bottled water was provided by Plaintiff's sister,  
11 like in a third world country. Plaintiff's sister is  
12 willing to testify that she and the Plaintiff were  
13 verbally abused by the jailers and were treated  
14 without dignity or respect. Others who visited the  
15 Plaintiff are willing to testify to this abusive  
16 treatment.

17 19. Just before Christmas, jail staff told Plaintiff's  
18 sister that there was too much of Plaintiff's food in  
19 the facility and therefore would not allow a drop-off  
20 of food for Plaintiff. On Christmas Day, Plaintiff  
21 received only one five (5) ounce box of organic  
22 crackers that was to last the entire day. Plaintiff  
23 ate a few organic crackers, and then the nurse took  
24 away the box. The same box was brought back at the  
25 next meal time. No other food was provided to

1 Plaintiff. Other inmates on Christmas Day ate  
2 chicken, cake, etc. This was cruel and unusual  
3 punishment.

4 21. On December 20, 2006, Plaintiff was called to court  
5 regarding EXTRADITION. Judge Patterson said,

6 "The TERMS OF THE WAIVER OF EXTRADITION FORM,  
7 which you execute, I will sign also, provide  
8 that the STATE OF MICHIGAN has ten (10) days  
9 from the date of execution of this document to  
10 either have extradited you or if they fail to do  
11 so, then I will ORDER you released from  
12 custody;..."

13 Judge Patterson continued,

14 "What I'm saying is that ten days from today,  
15 you will actually be in Michigan OR released -  
16 ten days from today - you will be released from  
17 the Dallas County Jail, one way or the other.  
18 Either they pick you up and take you to Michigan  
19 or they haven't and I ORDER you released from  
20 custody; so do you want to sign the waiver?"

21 After that, Plaintiff signed the extradition paper.  
22 Instead of Plaintiff being released on December 30,  
23 2006, the Plaintiff was not released until January 2,  
24 2007, in violation of the Judge's verbal order.

25 21. When Plaintiff left the jail, Plaintiff spoke with

1 her attorney in Michigan, Christopher Yates (now a  
2 judge), who informed Plaintiff that the warrant for  
3 her arrest in Muskegon County was still active. He  
4 also informed Plaintiff that, according to the  
5 Assistant Muskegon County Prosecutor, D.J. Hilson of  
6 the Muskegon Prosecutor's Office in Muskegon,  
7 Michigan, if Plaintiff turned herself in to the  
8 Muskegon, Michigan jail, the jail staff would not  
9 allow Plaintiff to have her prescription organic food  
10 and prescription bottled water. Assistant Muskegon  
11 County Prosecutor Hilson requested Plaintiff's  
12 doctors stop sending medical letters regarding her  
13 needs and conditions to the Muskegon County  
14 Prosecutor's Office, and Assistant Muskegon County  
15 Prosecutor Hilson said the jail staff would send  
16 Plaintiff to their own doctor. Note: There was not  
17 a single, qualified doctor familiar with Plaintiff's  
18 type of medical condition in the whole of Muskegon  
19 County, Michigan. After the treatment received at  
20 the Dallas County Jail, Plaintiff was afraid that she  
21 could receive the same or worse treatment.  
22 Translation: Plaintiff could die as a result. Note:  
23 Within a week or so of Plaintiff's being released  
24 from the Dallas County Jail, a television news  
25 broadcast reported that a nineteen (19) year old

1           schizophrenic was placed in solitary confinement at  
2           the Detroit, Michigan jail, was not given any food or  
3           water, and died on the fourth day. Plaintiff chose  
4           not to be murdered in this way and went into hiding  
5           for about twenty-three (23) months. Plaintiff could  
6           not even prove her innocence if taken to jail because  
7           it isn't likely that Plaintiff would live long enough  
8           without her prescription organic food and  
9           prescription bottled water to make an appearance  
10          before a judge. The Assistant Muskegon County  
11          Prosecutor, Dale J. Hilson, kept offering Plaintiff  
12          plea bargains through her attorney. If Plaintiff  
13          accepted some nebulous misdemeanor charge, then  
14          Assistant Muskegon County Prosecutor Hilson would  
15          accept time served. So, Assistant Muskegon County  
16          Prosecutor Hilson kept trying to force Plaintiff to  
17          accept a plea bargain through her attorney, which  
18          Plaintiff would have no part. There was never a  
19          crime in the first place, but Assistant Muskegon  
20          Country Prosecutor, Dale J. Hilson, wanted to convict  
21          Plaintiff of yet another crime she did not commit.

22          22. For the next twenty-three (23) months, Plaintiff was  
23          forced to be a fugitive because Muskegon County  
24          Prosecutor Tony Tague and Assistant Muskegon County  
25          Prosecutor Dale J. Hilson were operating under color

1 of law by maintaining an active arrest warrant for  
2 Plaintiff when they had been noticed and knew that no  
3 crime had been committed.

4 23. Around September 2008, Mr. Leland Earnest Davis (the  
5 alleged victim) discovered that these false charges  
6 had never been dropped. According to documents, Mr.  
7 Davis called the Muskegon County Prosecutor's Office  
8 and finally talked to the Assistant Muskegon County  
9 Prosecutor, Dale J. Hilson. The alleged victim, Mr.  
10 Davis, asked Assistant Muskegon County Prosecutor Mr.  
11 Hilson to drop the charges, since there was never any  
12 crime in the first place. Mr. Davis also sent a  
13 follow-up letter. Still nothing happened. So, Mr.  
14 Davis wrote another letter to the Muskegon County  
15 Prosecutor, Tony Tague. Still nothing happened.  
16 Note: The Prosecutor's Office is on the 5<sup>th</sup> Floor of  
17 the Court House Building. As Plaintiff understands  
18 it, Muskegon County Prosecutor Tony Tague was up for  
19 election and would reach his twenty (20) years to be  
20 vested for retirement if he won the election.  
21 Instead of dropping the charges on an innocent  
22 person, he chose to not drop the charges until after  
23 the election was over, perhaps to avoid any negative  
24 output on his campaign. Note: In Plaintiff's  
25 opinion, her civil rights as a qualified American



1 voter in the national election were knowingly and  
2 willfully taken away by Muskegon County Prosecutor  
3 Tony Tague for his own benefit and gain. Plaintiff  
4 was unable to let the public know prior to his  
5 election what Muskegon County Prosecutor Tony Tague  
6 had done.

7 19.) These are only a few of the incidents that happened.  
8 There are many, many more instances where the Plaintiff and  
9 others were tortured and laws were knowingly broken. If  
10 Plaintiff listed all the instances, she would have to write a  
11 book. The Plaintiff is still traumatized to date because of  
12 the acts of the Defendants.

13 20.) No human being should be treated like the Plaintiff was  
14 treated in this case just because she was different. Not even  
15 in a third-world country, where rights may not even exist,  
16 should we ever close even one eye to such atrocities. Where  
17 are the rights of the accused, and especially, where are the  
18 rights of the wrongly accused?

19 21.) Plaintiff has issued proper paperwork requesting copies  
20 of all information pertaining to this case from the jail.  
21 What Plaintiff received in return was woefully incomplete.  
22 The county said they find no record of Plaintiff being charged  
23 or convicted of a felony in Dallas County, Texas since 1973.

24 22.) The Defendants in this case deprived the Plaintiff of  
25 federal rights and acted under color of state law and federal

1 law, which are violations of Title 42 U.S.C. §§ 1983 and 1985.  
2 The Defendants have acted in bad faith and have employed the  
3 means outlined in the Complaint as a means of harassing the  
4 Plaintiff. The Defendants who are not state officers used  
5 state law, court proceedings and judgments in the overt acts  
6 listed in the counts of the Complaint along with assistance  
7 from state and local government officials to make their action  
8 a joint participation in state action under color of law.

9 23.) The Defendants conspired for the purpose of impeding,  
10 hindering, obstructing or defeating, in any manner, the due  
11 course of justice in any state or territory, with intent to  
12 deny the Plaintiff the equal protection of the laws, or to  
13 injure her for lawfully enforcing or attempting to enforce,  
14 the right of the Plaintiff to equal protection of the laws.

15 24.) The Defendants conspired to go in disguise on the  
16 highway or on the premises of another, for the purpose of  
17 depriving, either directly or indirectly, the Plaintiff, of  
18 the equal protection of the laws, or of equal privileges and  
19 immunities under the laws; whereby, the Plaintiff is injured  
20 in her person or deprived of having and exercising any right  
21 or privilege of a citizen of the United States; the party so  
22 injured or deprived may have an action for the recovery of  
23 damages occasioned by such injury or deprivation, against any  
24 one or more of the conspirators.

25 25.) Some of the Defendants formed a conspiracy from the

1 beginning, and the other Defendants joined the conspiracy as  
2 the events occurred in time.

3 26.) Plaintiff asks for attorney's fees in accordance with  
4 Title 42 U.S.C. § 1988 (b). Plaintiff seeks compensation for  
5 all the expenses incurred and for the indignities, horrendous  
6 horrors, terrorism, atrocities and torture she suffered  
7 personally and for the nightmare of watching others suffer  
8 cruel and inhumane treatment. Plaintiff continues to suffer  
9 post-release, post-traumatic stress syndrome, continues to  
10 experience horrible nightmares and severe consequences to this  
11 late date.

12  
13 **IV. STATEMENT OF THE FACTS**

14 27.) Defendant Dallas County, Texas (1) is the entity that  
15 maintains, owns and controls the Dallas County Jail that  
16 illegally held the Plaintiff in custody against her will.

17 28.) Defendant City of Dallas, Texas (2) is the entity that  
18 controls and maintains the City of Dallas Police Department  
19 which at the time of the arrest illegally arrested and held  
20 Plaintiff without a Texas arrest warrant or a Michigan arrest  
21 warrant.

22 29.) Defendant Muskegon County, Michigan (3) is the entity  
23 that employs and administers the county prosecutor's office  
24 from which a county prosecutor filed a bogus, and improper  
25 criminal complaint against Plaintiff.

1 30.) Defendant Fruitport Township, Michigan (4) is the entity  
2 that controls and maintains the Fruitport Township Police  
3 Department which investigated and filed bogus criminal charges  
4 against the Plaintiff.

5 31.) Defendant James Schultz (5) is a detective and police  
6 officer for the Fruitport Township Police Department, in  
7 Fruitport Township, Michigan, who investigated and bought  
8 bogus charges against Plaintiff without probable cause.

9 32.) Defendant Tony Tague (6) is a Muskegon County prosecutor  
10 who caused to be issued a bogus Michigan arrest warrant after  
11 Plaintiff was arrested in Texas without probable cause and  
12 refused to drop the warrant and have the case dismissed in a  
13 timely manner..

14 33.) Defendant Dale J. Hilson (7) is a Muskegon County  
15 prosecutor, who refused to drop warrant and charges after  
16 receiving testimony from the alleged victim who stated he was  
17 not missing any of his money. Defendant Hilson also ignored  
18 legal notices from Plaintiff's attorney outlining reasons for  
19 dismissing warrant and related charges.

20 34.) Defendant Louis Canales (8) is a City of Dallas police  
21 officer who illegally arrested Plaintiff without a Texas or  
22 Michigan arrest warrant and with no explanation of the arrest  
23 or statement of the charge. Also, no Miranda rights were read  
24 to the Plaintiff.

25 35.) Defendant Ronald M. Hubner (9) is a City of Dallas

1 police officer who illegally arrested Plaintiff without a  
2 Texas or Michigan arrest warrant and with no explanation of  
3 the arrest or statement of the charge. Also, no Miranda  
4 rights were read to the Plaintiff.

5 36.) Defendant Daniel Downs (10) is the Chief/Warden of the  
6 Dallas County, Texas jail who was aware of the inhumane and  
7 bad conditions at the jail; the inhumane and wrongful  
8 treatment of the Plaintiff; and inadequate medical care.

9 37.) Defendant Ronald Anderson (11) is the President/Chief  
10 Executive Officer of the Parkland Health & Hospital System  
11 Auxiliary and is the person who received the requests for the  
12 special needs of medical care, prescription organic food,  
13 prescription bottled water, and handicap facilities for the  
14 Plaintiff from various sources without adequate response.

15 38.) Defendant Lupe Valdez (12) is the Dallas County Sheriff  
16 who was aware of the inhumane and bad conditions at the jail;  
17 and the inhumane and wrongful treatment of the Plaintiff;  
18 inadequate medical care; and failed to release Plaintiff from  
19 the Dallas County Jail, after expiration of the extradition  
20 order, in a timely manner.

21 39.) Defendant Parkland Health & Hospital System Auxiliary  
22 (13) was hired and retained by the Dallas County jail to  
23 furnish legal, proper and adequate medical treatment and  
24 assistance to Dallas County jail inmates. This was not  
25 accomplished for the Plaintiff as outlined in this Complaint.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

**V. COMPLAINT**

40.) The Statement of the Case and Statement of Facts is incorporated in each of the following counts:

Count I

41.) The Defendants (1), (10), (11), (12) and (13) failed to provide adequate medical care in compliance with Constitutional requirements for the Plaintiff at the Dallas County Jail, Dallas, Texas, hereinafter referred to as DCJ.

Count II

42.) The Defendants (1), (10), (11), (12), and (13) failed to adequately identify the health needs through appropriate intake screening, thereby preventing Plaintiff from receiving adequate care of medical needs at the DCJ.

Count III

43.) The Defendants (1), (10), (11), (12) and (13) failed to provide adequate acute and chronic care for the urgent medical needs; thereby, significantly delaying appropriate medical care for the Plaintiff at the DCJ; thereby, creating a life-threatening situation.

Count IV

44.) The Defendants (1), (10), (11), (12) and (13) failed to provide adequate follow-up treatment for the Plaintiff at the DCJ during incarceration and after discharge.

Count V

45.) The Defendants (11) and (13). intentionally ignored

1 medical requests that were generated from Plaintiff resulting  
2 in denials of necessary medical care at the DCJ.

3 Count VI

4 46.) The Defendants (11) and (13) failed to adequately  
5 document and execute relevant medical and discharge orders,  
6 records and documents concerning the Plaintiff at the DCJ.

7 Count VII

8 47.) The Defendants (11) and (13) failed to provide adequate  
9 and minimum food, creating conditions that were extremely  
10 inhumane and barbaric in violation of the 8<sup>th</sup> Amendment of the  
11 U.S. Constitution at Parkland Health & Hospital System  
12 Auxiliary.

13 Count VIII

14 48.) The Defendants (1), (10), (11), (12) and (13) failed to  
15 provide adequate medical facilities with reasonable space and  
16 sanitation, cleanliness, and supervision concerning the  
17 Plaintiff at the DCJ.

18  
19 Count IX

20 49.) The Defendants (1), (10), (11), (12) and (13) failed to  
21 maintain adequate staffing, training, and supervision of the  
22 medical and custody staff concerning the Plaintiff at the DCJ.

23 Count X

24 50.) The Defendants (1), (10), (11), (12) and (13) failed to  
25 engage effective quality assurance review to track violation

1 incidents concerning the Plaintiff at the DCJ.

2 Count XI

3 51.) The Defendants (1), (10) and (12) failed to provide  
4 adequate and minimum food, clothing and shelter creating  
5 conditions that were extremely inhumane and barbaric in  
6 violation of the 8<sup>th</sup> Amendment of the U.S. Constitution at the  
7 DCJ.

8 Count XII

9 52.) The Defendants (1), (10) and (12) did not provide  
10 adequate protection from biohazards and openly displayed their  
11 lack of environmental control concerning the Plaintiff at the  
12 DCJ.

13 Count XIII

14 53.) The Defendants (1), (2), (3), (4), (5), (6), (7), (8),  
15 (9), (10), (11), (12) and (13) have accomplished their actions  
16 against Plaintiff by causing Plaintiff to suffer loss of  
17 liberty, to endure financial loss and to endure hardships that  
18 continue to haunt Plaintiff day and night.

19 Count XIV

20 54.) The Defendants (1), (2), (3), (4), (5), (6), (7), (8),  
21 (9), (10) and (12) conspired amongst themselves and with other  
22 persons or entities to willfully, unlawfully and knowingly  
23 violate the Plaintiff's liberty, including the other offenses  
24 in the remaining Counts by depriving the Plaintiff of her  
25 freedom.



Count XV

55.) All of the Defendants (1), (2), (3), (4), (5), (6), (7), (8), (9), (10) and (12) jointly and severally have conspired to unfairly and in bad faith illegally take and deprive said liberty from Plaintiff in violation of due process of law and equal protection under color of law. The unlawful scheme on the part of the Defendants was to willfully cause the said liberty to be taken without due process of law.

Count XVI

56.) The Defendants (1), (2), (3), (4), (5), (6), (7), (8), (9) (10), (11), (12) and (13) being two or more persons conspired for the purpose of depriving, directly or indirectly, the Plaintiff of her equal protection of the laws as well as the equal privileges and immunities under the law including the 4<sup>th</sup>, 5<sup>th</sup>, 8<sup>th</sup> and 14<sup>th</sup> Amendments of the U.S. Constitution of the rights concerning due process of law and equal protection under the law.

Count XVII

57.) The Defendants (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12) and (13) violated Title 42 § 1983 by discriminating against the Plaintiff. The Defendants/conspirators were motivated, did or caused to be accomplished, the acts outlined in this Original Complaint in furtherance of the conspiracy to violate Plaintiff's right to free exercise of rights under the liberty clause of the 5<sup>th</sup>

1 Amendment, all of which were terminated by and through  
2 Defendants' actions, threats and intimidation, creating a  
3 chilling effect against the Plaintiff, who is a class of  
4 Citizen of the United States of America.

5 Count XVIII

6 58.) The Defendants (1), (2), (3), (4), (5), (6), (7), (8),  
7 (9), (10) and (12) intentionally and illegally committed the  
8 overt actions and offenses, outlined in the Statement of the  
9 Facts which are incorporated in this Count, by interfering  
10 with the free exercise of the Plaintiff's rights involving  
11 criminal violations of Title 18 U.S.C. § 241. The Defendants  
12 conspired to and did injure, oppress, threaten and intimidate  
13 the Plaintiff in the free exercise or enjoyment of the rights  
14 and privileges secured to the Plaintiff by the 1<sup>st</sup>, 5<sup>th</sup>, 8<sup>th</sup> and  
15 14<sup>th</sup> Amendments to the U.S. Constitution.

16 Count XIX

17 59.) The Defendants (1), (2), (3), (4), (5), (6), (7), (8),  
18 (9), (10) and (12) intentionally and illegally committed the  
19 overt actions and offenses, outlined in the Statement of the  
20 Case which is incorporated in this Count, by interfering with  
21 the free exercise of the Plaintiff's rights involving the  
22 right not to be falsely and illegally libeled and slandered.  
23 The Defendants injured the Plaintiff's reputation and exposed  
24 the Plaintiff to public hatred, contempt, and ridicule and  
25 impeached the Plaintiff's honesty, integrity, virtue, and

1 reputation and made public the untrue defect of the Plaintiff  
2 and thereby exposed the Plaintiff to public hatred, ridicule,  
3 and financial injury concerning her good name.

4 Count XX

5 60.) The Defendants (1), (2), (3), (4), (5), (6), (7), (8),  
6 (9), (10) and (12) with/without others, willfully and  
7 knowingly encouraged, inflamed the passions and prejudices,  
8 enticed and coerced relatives, etc., former and present  
9 associates to testify and make statements against Plaintiff  
10 with misrepresentations, false and perjured declarations when,  
11 in fact, said associates may have had only grievances and  
12 self-interests not related to the jurisdictional criminal  
13 investigations against Plaintiff.

14 Count XXI

15 61.) The Defendants (1), (2), (3), (4), (5), (6), (7), (8),  
16 (9), (10) and (12) caused the Plaintiff to be under an illegal  
17 jurisdiction, venue and authority when, in fact, the original  
18 alleged violations were fatally defective and did not even  
19 exist due to several missing essential legal and factual  
20 elements and overcharging in violation of due process and  
21 equal protection under the law.

22 Count XXII

23 62.) All of the Defendants (1), (2), (3), (4), (5), (6), (7),  
24 (8), (9), (10) and (12) discriminated against Plaintiff in  
25 violating her due process of law and equal protection under

1 the law, both individually and in combined conspiracy among  
2 themselves. The Defendants had an improper ulterior motive  
3 for the discrimination.

4 Count XXIII

5 63.) All of the Defendants (1), (2), (3), (4), (5), (6), (7),  
6 (8), (9), (10) and (12) were only concerned with sick  
7 injustice, prejudice and unfairness administered to the  
8 Plaintiff through their horrific acts, words and deeds, in  
9 violation of due process of law and equal protection under the  
10 law.

11 Count XXIV

12 64.) All of the Defendants (1), (2), (3), (4), (5), (6), (7),  
13 (8), (9), (10) and (12) violated and deprived the Plaintiff of  
14 liberty concerning the right to be left alone without  
15 interference and harassment under the liberty clause of due  
16 process in the Fifth Amendment to the U.S. Constitution, and  
17 are continuing to deprive Plaintiff of liberty under the  
18 liberty clause of due process in the Fifth Amendment of the  
19 U.S. Constitution causing the Plaintiff to experience undue  
20 difficulty and expense in protecting her interests.

21 Count XXV

22 65.) The Defendants (1), (2), (3), (4), (5), (6), (7), (8)  
23 and (9) have continually exercised bad faith in prosecuting  
24 the Plaintiff by refusing to honor or follow established  
25 statutes, regulations and legal principles of law, which has

1 resulted in severe intent to cause harassment. The Plaintiff  
2 has suffered irreparable damages, as a result that is both  
3 great and immediate. This characterizes official lawlessness.

4 Count XXVI

5 66.) The Defendants (1), (2), (3), (4), (5), (6), (7), (8)  
6 and (9) interpretational use of the Michigan and Texas  
7 Judicial Procedures constituted a deprivation of  
8 constitutional rights under the color of state law.

9  
10 Count XXVII

11 67.) The Defendants (1), (2), (3), (4), (5), (6), (7), (8),  
12 (9), (10) and (12) have conspired among themselves and with  
13 other persons or entities to willfully, unlawfully and  
14 knowingly violate the liberty and well-being rights of  
15 Plaintiff by depriving the Plaintiff the use and benefit of  
16 her liberty and well-being. Some of the defendants not  
17 directly involved have participated in the conspiracy by  
18 aiding and abetting the principle conspirators.

19 Count XXVIII

20 68.) The Defendants (1), (2), (3), (4), (5), (6), (7), (8),  
21 (9), (10), (11), (12) and (13) entered into agreements to  
22 carry out the scheme of an enterprise through a pattern of  
23 racketeering activity to deprive and defraud the Plaintiff of  
24 her liberty and well-being as outlined in the Counts by use of  
25 the mails or wires in violation of Title 18 U.S.C. §§ 1341 and

1 1343. The Defendants devised or intended to devise a scheme  
2 to defraud or obtain criminal charges by means of false or  
3 fraudulent pretenses, representations or promises for the  
4 purpose of executing the scheme or artifice or attempting to  
5 do so by utilizing the U.S. Mail, private or commercial  
6 interstate carriers, telephone, fax, email or other methods.  
7 The Defendants also criminally violated Title 18 U.S.C. §§ 241  
8 and 242 by willfully, knowingly and unlawfully violating the  
9 Plaintiff's civil and constitutional rights. These acts are  
10 all in violation of the Racketeer Influenced and Corrupt  
11 Organizations Act (RICO) under Title 18 U.S.C. §§ 1961-68  
12 (1994) or more specifically Title 18 U.S.C. § 1962 (c) and  
13 (d). These RICO acts began occurring more than one (1) year  
14 in the past.

15 Count XXIX

16 69.) All of the Defendants (1), (2), (3), (4), (5), (6), (7),  
17 (8), (9), (10) and (12) jointly and severally have conspired  
18 to unfairly and in bad faith illegally take and deprive said  
19 liberty and well being from Plaintiff in violation of due  
20 process of law and equal protection under color of law.

21 Count XXX

22 70.) The Defendants (1), (2), (3), (4), (5), (6), (7), (8),  
23 (9), (10) and (12), being two or more persons, conspired for  
24 the purpose of depriving, directly or indirectly, the  
25 Plaintiff of her equal protection of the laws, as well as the

1 equal privileges and immunities under the law, including the  
2 4<sup>th</sup>, 5<sup>th</sup> and 14<sup>th</sup> Amendments of the U.S. Constitution of the  
3 rights concerning due process of law and equal protection  
4 under the law.

5 Count XXXI

6 71.) The Defendants (1), (2), (3), (4), (5), (6), (7), (8),  
7 (9), (10) and (12) violated Title 42 § 1985 (3) by  
8 discriminating against a class or class of persons, being the  
9 Plaintiff. The Defendants/conspirators were motivated, did or  
10 caused to be accomplished the acts outlined in the Original  
11 Complaint in furtherance of the conspiracy to violate  
12 Plaintiff's right to free exercise of rights under the liberty  
13 clause of the 5<sup>th</sup> Amendment, all of which were terminated by  
14 and though Defendants' actions, threats and intimidation,  
15 creating a chilling effect against the Plaintiff, who is a  
16 class of citizen of the Untied States of America.

17 Count XXXII

18 72.) The Defendants (2), (3), (4), (5), (6), (7), (8) and (9)  
19 conspired collectively to cause false, erroneous and illegal  
20 criminal charges and arrest against the Plaintiff.

21 Count XXXIII

22 73.) The Defendants (2), (3), (4), (5), (6), (7), (8) and (9)  
23 conspired collectively to cause false, erroneous and bogus  
24 criminal charges and arrest without a supporting affidavit by  
25 Defendants.

Count XXXIV

74.) The Defendants (2), (3), (4), (5), (6), (7), (8) and (9) conspired collectively, in agreement to protect their own interests by perjuring themselves while testifying against Plaintiff.

Count XXXV

75.) The Defendants (1), (2), (3), (4), (5), (6), (7), (8) and (9) charged the plaintiff with a criminal felony without any credible evidence or probable cause and without an official charging instrument.

Count XXXVI

76.) The Defendants (1), (2), (3), (4), (5), (6), (7), (8) and (9) arrested and arraigned the plaintiff without a proper arrest warrant and probable cause affidavit.

Count XXXVII

77.) The Defendants (1), (2), (3), (4), (5), (6), (7), (8), (9), (10) and (12) confined plaintiff to jail without a probable cause charging instrument, arrest warrant and without a probable cause affidavit.

Count XXXVIII

78.) The Defendants (1), (10) and (12) failed to release the plaintiff from the DCJ, even after a judge's verbal release order that was very specific as to day and time.

**V. CONCLUSION**

79.) Therefore, due to the severe harassment, intimidation



1 and illegal overt acts against the Plaintiff, Plaintiff has  
2 endured and suffered great harm in legal costs, expenditure of  
3 vast amounts of her time, loss of reputation, loss of liberty  
4 and property, and loss of due process of law and equal  
5 protection of the law outside of a legitimate government  
6 interest, which was/is totally unwarranted.

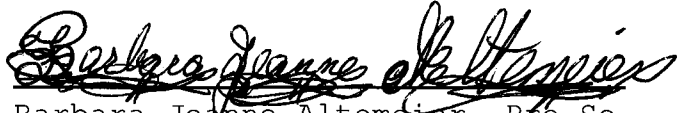
7 **VI. DAMAGES**

8 80.) The Plaintiff asks this Court for a judgment in her  
9 favor with actual damages of one million dollars  
10 (\$1,000,000.00) from each Defendant per count. The Plaintiff  
11 also asks for four million dollars (\$4,000,000.00) in punitive  
12 damages from each Defendant per count. The Plaintiff does not  
13 seek damages from the public (federal or state) treasury, but  
14 solely from individual funds of the Defendants, except for  
15 Defendants (1), (2), (3), (4) and (13).

16 81.) Due to the fact that the Defendants may be unable or  
17 unwilling to pay for said damages in cash, Plaintiff requests  
18 that any and all personal and real assets be the subject  
19 matter for damages, which would include, but is not limited  
20 to, any and all real property, stocks, bonds, vehicles,  
21 certificates of deposits, money market accounts, equipment,  
22 furniture, jewelry, boats, retirement funds of any type,  
23 insurance, sporting equipment, etc. Therefore, the  
24 Defendants' real and personal properties be subject to a  
25 Notice of Lis Pendens prohibiting the sale or disposition of

1 said property until a final disposition of this cause of  
2 action.

3  
4 Respectively submitted,

5  
6 

7 Barbara Jeanne Altemeier, Pro Se  
8 13861 Yockey Street  
9 Garden Grove, California 92844  
10 (714) 379-9557

11  
12  
13  
14 **VERIFICATION**

15  
16 IT IS HEREBY Verified that under the penalties of perjury  
17 that the foregoing Complaint is true and correct to the best  
18 of my knowledge and belief.

19  
20 Witness my hand and seal this 3rd day of November, 2010.

21  
22   
23 Barbara Jeanne Altemeier  
24  
25

|  |   |
|--|---|
| <b>I (a) PLAINTIFFS</b> (Check box if you are representing yourself <input checked="" type="checkbox"/><br>BARBARA JEANNE ALTEMEIER  | <b>DEFENDANTS</b><br>DALLAS COUNTY, TEXAS (1), et al. |
| <b>(b) Attorneys</b> (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.)<br>BARBARA JEANNE ALTEMEIER, Pro se<br>13861 YOCKEY STREET, GARDEN GROVE, CA 92844-2663<br>PHONE: (714) 379-9557 | <b>Attorneys (If Known)</b><br>Not Known              |

| <b>II. BASIS OF JURISDICTION</b> (Place an X in one box only.)<br><input type="checkbox"/> 1 U.S. Government Plaintiff <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)<br><input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III) | <b>III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only</b><br>(Place an X in one box for plaintiff and one for defendant.) <table border="1"><thead><tr><th></th><th>PTF</th><th>DEF</th><th></th><th>PTF</th><th>DEF</th></tr></thead><tbody><tr><td>Citizen of This State</td><td><input checked="" type="checkbox"/> 1</td><td><input type="checkbox"/> 1</td><td>Incorporated or Principal Place of Business in this State</td><td><input type="checkbox"/> 4</td><td><input type="checkbox"/> 4</td></tr><tr><td>Citizen of Another State</td><td><input type="checkbox"/> 2</td><td><input checked="" type="checkbox"/> 2</td><td>Incorporated and Principal Place of Business in Another State</td><td><input type="checkbox"/> 5</td><td><input checked="" type="checkbox"/> 5</td></tr><tr><td>Citizen or Subject of a Foreign Country</td><td><input type="checkbox"/> 3</td><td><input type="checkbox"/> 3</td><td>Foreign Nation</td><td><input type="checkbox"/> 6</td><td><input type="checkbox"/> 6</td></tr></tbody></table> |                                       | PTF   | DEF                        |                                       | PTF | DEF | Citizen of This State | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in this State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 | Citizen of Another State | <input type="checkbox"/> 2 | <input checked="" type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input checked="" type="checkbox"/> 5 | Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |
|--|---|---------------------------------------|---|----------------------------|---------------------------------------|-----|-----|-----------------------|---------------------------------------|----------------------------|---|----------------------------|----------------------------|--------------------------|----------------------------|---------------------------------------|---|----------------------------|---------------------------------------|---|----------------------------|----------------------------|----------------|----------------------------|----------------------------|
|  | PTF   | DEF                                   |   | PTF                        | DEF                                   |     |     |                       |                                       |                            |   |                            |                            |                          |                            |                                       |   |                            |                                       |   |                            |                            |                |                            |                            |
| Citizen of This State  | <input checked="" type="checkbox"/> 1   | <input type="checkbox"/> 1            | Incorporated or Principal Place of Business in this State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4            |     |     |                       |                                       |                            |   |                            |                            |                          |                            |                                       |   |                            |                                       |   |                            |                            |                |                            |                            |
| Citizen of Another State   | <input type="checkbox"/> 2  | <input checked="" type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input checked="" type="checkbox"/> 5 |     |     |                       |                                       |                            |   |                            |                            |                          |                            |                                       |   |                            |                                       |   |                            |                            |                |                            |                            |
| Citizen or Subject of a Foreign Country  | <input type="checkbox"/> 3  | <input type="checkbox"/> 3            | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6            |     |     |                       |                                       |                            |   |                            |                            |                          |                            |                                       |   |                            |                                       |   |                            |                            |                |                            |                            |

**IV. ORIGIN** (Place an X in one box only.)  
☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify): ☐ 6 Multi-District Litigation ☐ 7 Appeal to District Judge from Magistrate Judge

**V. REQUESTED IN COMPLAINT:** **JURY DEMAND:** ☐ Yes ☒ No (Check 'Yes' only if demanded in complaint.)  
**CLASS ACTION under F.R.C.P. 23:** ☐ Yes ☒ No **MONEY DEMANDED IN COMPLAINT:** \$ Total Actual & Punitive Damages

**VI. CAUSE OF ACTION** (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)  
Civil Rights Violations: 42 U.S.C. §§ 1983, 1985 (3); Tort Action; RICO Violation; Title 28 U.S.C. §§ 1331, 1332, 1343, 1367

**VII. NATURE OF SUIT** (Place an X in one box only.)

| OTHER STATUTES   | CONTRACT  | TORTS  | TORTS  | PRISONER  | LABOR   |
|--|---|--|--|---|---|
| <input type="checkbox"/> 400 State Reapportionment<br><input type="checkbox"/> 410 Antitrust<br><input type="checkbox"/> 430 Banks and Banking<br><input type="checkbox"/> 450 Commerce/ICC Rates/etc.<br><input type="checkbox"/> 460 Deportation<br><input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations<br><input type="checkbox"/> 480 Consumer Credit<br><input type="checkbox"/> 490 Cable/Sat TV<br><input type="checkbox"/> 810 Selective Service<br><input type="checkbox"/> 850 Securities/Commodities/Exchange<br><input type="checkbox"/> 875 Customer Challenge 12 USC 3410<br><input type="checkbox"/> 890 Other Statutory Actions<br><input type="checkbox"/> 891 Agricultural Act<br><input type="checkbox"/> 892 Economic Stabilization Act<br><input type="checkbox"/> 893 Environmental Matters<br><input type="checkbox"/> 894 Energy Allocation Act<br><input type="checkbox"/> 895 Freedom of Info. Act<br><input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice<br><input type="checkbox"/> 950 Constitutionality of State Statutes | <input type="checkbox"/> 110 Insurance<br><input type="checkbox"/> 120 Marine<br><input type="checkbox"/> 130 Miller Act<br><input type="checkbox"/> 140 Negotiable Instrument<br><input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment<br><input type="checkbox"/> 151 Medicare Act<br><input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans)<br><input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits<br><input type="checkbox"/> 160 Stockholders' Suits<br><input type="checkbox"/> 190 Other Contract<br><input type="checkbox"/> 195 Contract Product Liability<br><input type="checkbox"/> 196 Franchise<br><b>REAL PROPERTY</b><br><input type="checkbox"/> 210 Land Condemnation<br><input type="checkbox"/> 220 Foreclosure<br><input type="checkbox"/> 230 Rent Lease & Ejectment<br><input type="checkbox"/> 240 Torts to Land<br><input type="checkbox"/> 245 Tort Product Liability<br><input type="checkbox"/> 290 All Other Real Property | <b>PERSONAL INJURY</b><br><input type="checkbox"/> 310 Airplane<br><input type="checkbox"/> 315 Airplane Product Liability<br><input type="checkbox"/> 320 Assault, Libel & Slander<br><input type="checkbox"/> 330 Fed. Employers' Liability<br><input type="checkbox"/> 340 Marine<br><input type="checkbox"/> 345 Marine Product Liability<br><input type="checkbox"/> 350 Motor Vehicle<br><input type="checkbox"/> 355 Motor Vehicle Product Liability<br><input type="checkbox"/> 360 Other Personal Injury<br><input type="checkbox"/> 362 Personal Injury-Med Malpractice<br><input type="checkbox"/> 365 Personal Injury-Product Liability<br><input type="checkbox"/> 368 Asbestos Personal Injury Product Liability<br><b>IMMIGRATION</b><br><input type="checkbox"/> 462 Naturalization Application<br><input type="checkbox"/> 463 Habeas Corpus-Alien Detainee<br><input type="checkbox"/> 465 Other Immigration Actions | <b>PERSONAL PROPERTY</b><br><input type="checkbox"/> 370 Other Fraud<br><input type="checkbox"/> 371 Truth in Lending<br><input type="checkbox"/> 380 Other Personal Property Damage<br><input type="checkbox"/> 385 Property Damage Product Liability<br><b>BANKRUPTCY</b><br><input type="checkbox"/> 422 Appeal 28 USC 158<br><input type="checkbox"/> 423 Withdrawal 28 USC 157<br><b>CIVIL RIGHTS</b><br><input type="checkbox"/> 441 Voting<br><input type="checkbox"/> 442 Employment<br><input type="checkbox"/> 443 Housing/Accommodations<br><input type="checkbox"/> 444 Welfare<br><input type="checkbox"/> 445 American with Disabilities - Employment<br><input type="checkbox"/> 446 American with Disabilities - Other<br><input checked="" type="checkbox"/> 440 Other Civil Rights | <b>PETITIONS</b><br><input type="checkbox"/> 510 Motions to Vacate Sentence<br><input type="checkbox"/> 530 General Habeas Corpus<br><input type="checkbox"/> 535 Death Penalty<br><input type="checkbox"/> 540 Mandamus/Other<br><input type="checkbox"/> 550 Civil Rights<br><input type="checkbox"/> 555 Prison Condition<br><b>FORFEITURE / PENALTY</b><br><input type="checkbox"/> 610 Agriculture<br><input type="checkbox"/> 620 Other Food & Drug<br><input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881<br><input type="checkbox"/> 630 Liquor Laws<br><input type="checkbox"/> 640 R.R. & Truck<br><input type="checkbox"/> 650 Airline Regs<br><input type="checkbox"/> 660 Occupational Safety /Health<br><input type="checkbox"/> 690 Other | <input type="checkbox"/> 710 Fair Labor Standards Act<br><input type="checkbox"/> 720 Labor/Mgmt. Relations<br><input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act<br><input type="checkbox"/> 740 Railway Labor Act<br><input type="checkbox"/> 790 Other Labor Litigation<br><input type="checkbox"/> 791 Empl. Ret. Inc. Security Act<br><b>PROPERTY RIGHTS</b><br><input type="checkbox"/> 820 Copyrights<br><input type="checkbox"/> 830 Patent<br><input type="checkbox"/> 840 Trademark<br><b>SOCIAL SECURITY</b><br><input type="checkbox"/> 861 HIA (1395ff)<br><input type="checkbox"/> 862 Black Lung (923)<br><input type="checkbox"/> 863 DIWC/DIWW (405(g))<br><input type="checkbox"/> 864 SSID Title XVI<br><input type="checkbox"/> 865 RSI (405(g))<br><b>FEDERAL TAX SUITS</b><br><input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)<br><input type="checkbox"/> 871 IRS-Third Party 26 USC 7609 |

SACV10-1692 JVS(AGR)

FOR OFFICE USE ONLY: Case Number: \_\_\_\_\_

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

**VIII(a). IDENTICAL CASES:** Has this action been previously filed in this court and dismissed, remanded or closed? ☒ No ☐ Yes

If yes, list case number(s): \_\_\_\_\_

**VIII(b). RELATED CASES:** Have any cases been previously filed in this court that are related to the present case? ☒ No ☐ Yes

If yes, list case number(s): \_\_\_\_\_

**Civil cases are deemed related if a previously filed case and the present case:**

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or  
☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or  
☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or  
☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

**IX. VENUE:** (When completing the following information, use an additional sheet if necessary.)

- (a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named plaintiff resides.  
☐ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

|                           |   |
|---------------------------|---|
| County in this District:* | California County outside of this District; State, if other than California; or Foreign Country |
| Orange County             | N/A   |

- (b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named defendant resides.  
☒ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

|                           |   |
|---------------------------|---|
| County in this District:* | California County outside of this District; State, if other than California; or Foreign Country |
| N/A                       | Dallas County, Texas or Muskegon County, Michigan   |

- (c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** claim arose.  
**Note: In land condemnation cases, use the location of the tract of land involved.**

|                           |   |
|---------------------------|---|
| County in this District:* | California County outside of this District; State, if other than California; or Foreign Country |
| N/A                       | Dallas County, Texas or Muskegon County, Michigan   |

\* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

**Note: In land condemnation cases, use the location of the tract of land involved**

X. SIGNATURE OF ATTORNEY (OR PRO PER): Barbara Jeanne Kelly Date November 3, 2010

**Notice to Counsel/Parties:** The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

| Nature of Suit Code | Abbreviation | Substantive Statement of Cause of Action   |
|---------------------|--------------|--|
| 861                 | HIA          | All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b)) |
| 862                 | BL           | All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)  |
| 863                 | DIWC         | All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))   |
| 863                 | DIWW         | All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))  |
| 864                 | SSID         | All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.  |
| 865                 | RSI          | All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))   |

UNITED STATES DISTRICT COURT

for the

Southern District of California

BARBARA JEANNE ALTEMEIER

*Plaintiff*

v. *Dallas County, Texas*  
see attached (1)

*Defendant*

FOR OFFICE USE ONLY

Civil Action No. SACV10-1692 JVS(AGR)

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

FOR OFFICE USE ONLY

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: BARBARA JEANNE ALTEMEIER  
13861 YOCKEY STREET  
GARDEN GROVE, CA 92844-2663

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

NOV -4 2010

Date: \_\_\_\_\_

FOR OFFICE USE ONLY

*Nancy Castro*  
Signature of Clerk or Deputy Clerk

SEAL

Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
 was received by me on *(date)* \_\_\_\_\_.

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
 \_\_\_\_\_, a person of suitable age and discretion who resides there,  
 on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
 designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I returned the summons unexecuted because \_\_\_\_\_; or

☐ Other *(specify)*: \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

